THE LATTER-DAY SAINTS'

# MILLENNIAL STAR,

"O house of Jacob, come ye, and let us walk in the light of the Lord."—ISAIAH.

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## ELDER TAYLOR'S FIFTH LETTER.

"*It is therefore proper to say that while the case at bar is called The People versus Brigham Young, its other and real title is Federal Authority versus Polygamic Theocracy.*"—*Opinion of Chief Justice J. B. McKean.*

*Editor Deseret News.* Dear Sir,—In my last, not being able to do justice to a subject of such great importance as the *Territorial Question*, in the limited space allotted for a newspaper article, I proposed to present further evidence and argument in relation to this matter. I previously gave the opinions of Mr. Calhoun, Gen. Cass, Governor Walker and Senator Douglas, and extracts from the Constitution of the United States. President Buchanan on this subject says, this legislation is founded on principles as ancient as free government itself, and in accordance with them has simply declared that, *the people of a Territory like those of a State shall decide for themselves.* The Constitution of the United States commences with, "We, the people of the United States, in order to form a more perfect union, establish justice, insure domestic tranquility, provide for the common defence, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution for the United States of America."

Governor Walker says, "Is democracy a name and a shadow, or a substance? It means the power of the people. Or has it lost its true signification? Or are we moving from it with viewless, but rapid strides towards despotic power; to make and unmake the rules of political faith under pains and penalties abhorrent to the souls of freemen? Is this the eighty-second year of our independence? Or is it the first year of American monarchy that is now dawning upon us?" which Governor Wise of Virginia endorsed.

In the Senate, March 12, 1856, Mr. Douglas, in discussing this question, asks, "whence Congress derives authority to organize temporary governments for the Territories? A State is a sovereign power, limited only by the Constitution of the United States. There is no authority for putting a restriction upon the sovereignty of a new State which the Constitution has not placed upon the original States. The power to organize temporary governments is not granted in the power to dispose of and make all needful rules and regulations respecting the territory and other property belonging to the United States. This clause

confers power only to provide for surveying the public lands, and exposing them to public and private sale, issuing patents, confirming titles, etc.; in short, for making rules and regulations for protecting and disposing of the public domain and other public property of the United States, which power extends to the lands and other property of the United States as well as in the Territories." Nor do Mr. Douglas' views end here. In the 33rd Congress, on the 15th February, in the Senate, the question was taken on a substitute bill, in which, among other things, it "declared the people free to regulate their domestic institutions in their own way, subject only to the Constitution of the United States." The substitute was adopted, 35 to 10. Thus the various parties, with their several conflicting political creeds, all agreed on this one fact, and with a preponderating portion of 35 to 10 in that august assembly, that sovereignty was vested in the people; that their voice must be heard and their action had; that they were declared free to regulate their domestic institutions in their own way, and that their power was only limited by the Constitution.

Having investigated the principle of popular rights, and the inherent, inalienable rights of man to have a voice in his own government, we find it as old as assemblies, communities and organizations of man; a principle acknowledged by various governments, a fundamental principle of the government of the United States; that it was interwoven into our Constitution, sustained by presidents, governors, generals and statesmen, and endorsed by the Senate of the United States; that it lies at the foundation of all democratic and republican institutions; that senators, nor statesmen, nor generals, nor congress, nor presidents, nor judiciary have a right to interfere with this inherent, inalienable, God-given right; that it is as orthodox as democracy or republicanism, and as American as the Constitution of the United States.

If the above be true, then, and who can doubt it? what becomes of this intolerant, unauthorized interference with the people in the Territories? for we are only one among many. What of the ignoring of the people? What of the judicial clap-trap now in our midst?

But to proceed, let us examine some of the argument in opposition to this. I need not refer to the antiquated opinions of kings and monarchists, "that the people are not competent to govern themselves," but would simply ask, who are? Are kings, rulers, presidents and legislators people? or have they acquired some special divine right by bloodshed, robbery and plunder?

Mr. Collamer, of Vermont, in a minority report on Mr. Douglas' measures, says, "This has been done for sixty years under the power to dispose of and make all needful rules and regulations respecting the Territorial and other property of the United States," which power, as above demonstrated, is no power, but a usurpation of the people's rights. But it has been done for sixty years. Does age sanctify a wrong? Why did we object to British rule? It was more than sixty years old. Would Mr. Collamer cling to British institutions because of their venerable age? or have us go back to European, Asiatic, Egyptian or Mongolian rule because of their antiquity? An inherent right can never be made wrong.

Mr. Chase, of Ohio, Senator Houston of Texas, and others contend against the rights of the people, because by the passage of an act of popular sovereignty the Missouri compromise would be broken. All I have to say of this is, that if unconstitutional compromises are made, wherein the liberties of the people are bartered away, the sooner they are broken the better, and that great instrument of trust be preserved inviolate. But I would ask here, what have geographical lines to do with the people's rights? Can constitutional guarantees, freedom, and the rights of man be defined by any particular survey? Upon what principle does one man obtain the rights of citizenship and freedom on one side of a geographical line, and another man one mile or one thousand on the other be deprived of it, all living under the same government and guaranteed the same constitutional rights? If there

would be any difference it ought to be in favor of the pioneer—the man who has the courage and energy to penetrate the desert, make roads, build bridges, erect mills, open mines, develop the resources of the country and expose himself to and triumph over obstacles that frighten the more timid; but these are the men who, through false legislation, are tabooed; these are evils that demand the serious attention of our statesmen. Mr. Douglas, in speaking on this subject, says, "I do not like, I never did like, the system of legislation on our part, by which a geographical line, in violation of the laws of nature and climate and soil and of the laws of God, should be run to establish institutions for a people contrary to their wishes." An eminent political scientist has truly said, "If government is necessary for the government of the whole, every individual member ought to participate in the selection of its measures, as government is a contrivance for the security and protection of individuals, each individual should have a voice in providing for his own welfare and security. Or can he possess the uncontrolled exercise of private judgment?"

But, again, it has been stated that if Congress protects the people, they ought to have a right to govern them. What is meant by this? The objector can better tell than I can. Does Congress make the people, or do the people make Congress? I have always understood, as stated in the Constitution, that the Union was established "to insure domestic tranquility and provide for the common defence." What does that mean? The Eastern, or Western, or Southern States, or the whole people, as stated, "for the common defence?" Why, Southerners used to protect their slaves.

"But Congress pays your Territorial expenses, and therefore has a right to govern you." Now this is extraordinary. I have always been of the opinion that the people paid those expenses. Who pay the expenses, equipment, pay and salaries of the army and navy of the United States? The people. Who pay the salaries and per diem of Congress? The people. Who pay the salaries and expenses of the judiciary and the President? The people. And this people are helping to pay to-day the expenses of these courts and the salaries of these officials who are sent here without our consent, and who attempt to oppress, rule over and destroy us. We might apply the same answer to the aforementioned protection. Why are we taxed to-day for paying the expenses of the war? Does protection mean somebody else besides us? And must we pay to protect them and leave ourselves out? Slaveholders protect and provide for their slaves. It has yet to be demonstrated that this is an argument for serfdom. But government does not protect us here. It is true it has had an army, not to protect, but to watch us. To treat us as enemies, to hold us *in terrorem*. And in years past, in our Indian difficulties, the army has been watching us in Camps Floyd and Douglas, while we, the people, have been fighting Indians in the south and other places. We have expended upwards of one million dollars in this warfare, which up to the present is unacknowledged and unrequited. Thus we have really done our own fighting and paid government for watching us. This is such protection as wolves give to lambs, and is one of the evils that arises out of a departure from constitutional obligations. Having commenced with us, the question very naturally arises, where will it end? Our present anomalous position may form a specious pretext for religious fanatics, political incendiaries and thieves to make their raids upon us. But calm, reflecting men can perceive that they are sowing dragons' teeth, the fruit of which will be living monsters and standing armies, to overawe and trample under foot every good citizen; to tear in pieces the beautiful fabric we have raised: to dethrone justice, uproot liberty, trample on the people and the rights of man; to introduce anarchy, confusion and bloodshed; to chant the funeral requiem of liberty, and to send a wail of misery through the land. For if these principles of injustice and inhumanity can be practised with impunity upon us, as tyranny is always aggressive, it will not be long before the same rule, or misrule, will be applied to others; the sword once unsheathed

will clamor for more victims; encroachment will tread on the heels of encroachment; each aggression enforced by the sanguinary power we have been making, the nation will be bound in chains of its own forging, until liberty, feeble, bleeding and strangled, by its professed supporters, lies a helpless, prostrate, mangled corse, the taunt of tyrants and reproach of kings.

Having disposed of the above question, I now proceed to make further inquiries in regard to our own position. When we settled in these valleys it was Mexican territory, and only came into the possession of the United States by conquest and the treaty of Guadalupe Hidalgo. Mr. Seward, in the Senate, on the 11th of March, 1850, in contending for the admission of California as a State, in answer to objectors, says, "California comes unceremoniously, without a preliminary consent of Congress, and therefore by usurpation. This allegation I think is not quite true; at least not quite true in spirit; California is here, not of her own pure volition." We tore California and New Mexico (and he might have added Utah) "violently from their places in the confederation of Mexican States, and stipulated by the treaty of Guadalupe Hidalgo, that the Territories thus acquired should be admitted as States into the American Union, as soon as possible." California applied as above specified and was admitted, Deseret applied, under the same stipulations, the same treaty obligations, and was denied. We asked for bread and they gave us a stone, an unauthorized, unconstitutional government, a relic of monarchy, a fungus on the body politic, an apple of discord, a Territorial government which has been the prolific source of all difficulties in this country from that day until the present; for even in this our liberties are proscribed more than many others similarly situated. For instance, in the Territory of Oregon, the Governor possessed no veto power, it was prohibited. In Kansas and Nebraska, as Territories, the veto power of their governors could be controlled by a two-thirds vote. In Utah the veto power is absolute, and the whole community are thus disfranchised, Liberty with them is like the apples of Sodom, pleasant to look at and talk about, but crumble into a noisome vapor at the touch. "But you accepted it." How could we help ourselves. Mexico had to submit to the terms of her big brother. The French provinces of Alsace and Lorraine had to submit to the terms of their Prussian conquerors, and we, having by the United States' conquest fallen into their hands, and having asked for a republican form of government and been denied, had either to accept the Territorial excrescence, or be considered enemies of the United States. Such is the position that the departure from constitutional guarantees placed us in. California's claims were admitted, ours ignored; Kansas, Nebraska and Oregon preserved some rights, we have none.

The objector to democracy will say, "Did I not tell you that a democratic or republican form of government was not adapted to a large people, and do not your statements furnish a proof of this?" No. These are abuses, encroachments upon the rights of the people, and want correcting. Congress, in giving Territorial forms of government, assumes monarchial powers. A Territory is not a republican form of government, but monarchial, and therefore is a departure from republicanism. No system ought to be blamed for its perversion; let true republicanism be carried out in good faith, and it is adapted to a nation, an empire, or the world.

Were I an apologist for Congress I would say, that owing to the heated controversies and fierce disputes that have been engendered in the discussion of slavery, and other national questions, in trying to compromise, fundamental principles have sometimes been sacrificed. Such was the nature of the Missouri compromise, which was disrupted and broken down when the constitutional rule was applied. Such also are Territorial governments, which crumble under the touchstone of truth, and will not bear the test of republican ethics or democratic criticism.

It is generally supposed that no wrong was intended, and that although Territories have not a republican form of government, and are deprived of

many rights enjoyed by the States, that as they soon emerge into States, the difficulty is only short lived, and that as the United States officers are all republicans, they would not be likely to do much wrong. This is all very well in theory; the practice is very different. To begin with, there is really no excuse for Congress violating the Constitution. If that instrument is binding upon the people, it is also on Congress. In regard to government appointees, the reverse is the fact to the views above given; government appointees are not like Cæsar's wife, "above suspicion." Were we governed by good, honorable men, although in violation of republican principles, it would not make much difference; when we are not, it gives them power to oppress us, and subjects us to the same difficulties that the declarers of Independence complained of. Again, is time no object? is the life-time of men of no importance? We have thousands of men in our Territory to-day who were from seventeen to twenty when they came here, who are now upwards of forty years of age, who have never known anything about a republican form of government, only by hearing or reading of it, what recompense is offered them for the surrender of their liberties for a lifetime to strangers? That our officers are not above reproach is evident from the position of the present importation. Not one person in this Territory had a voice in their coming here, and not one in a thousand would vote for their continuance. This is not republican or democratic. None of the boasted *vox populi* about this. We would not wish to be governed by Chinese, Arabs, Hottentots or Indians; we object just as much to reckless, disqualified or corrupt appointees of government.

[TO BE CONTINUED.]

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## THE SANDWICH ISLANDS MISSION.

Elder George Nebeker arrived from the Sandwich Islands on Thursday morning last in excellent health. He left Honolulu, on the *Moses Taylor*, on the evening of the 24th ult., and reached San Francisco on Sunday morning, the 5th inst. Brother Nebeker left the city for the islands on the 12th of last February. The season's labor on the plantation of Laie has been a very good one, the prospect for the coming crop of sugar cane is encouraging. From April Conference to October Conference the force of hands employed on the plantation, under the direction of brother Nebeker and the Elders from the Valley who are with him, never lost a single working day, which speaks favorably for the climate and the industry of the native Saints who reside there. Brother Nebeker ships his sugar regularly to San Francisco, and brought with him on this trip a small cargo to sell there. The steamer on which he made the passage was provisioned with beef raised on Laie. Recent missionary efforts in preaching the Gospel on the other islands have been very successful, and numerous additions, of those who have never been identified with the people, have been made to the Church. At the recent Conference thirteen native missionaries were appointed to labor on the various islands, under the direction of Elder J. H. Napela, who will be remembered by many of our readers as the native who spent several months here during the summer and fall of 1869. Elder Nebeker speaks of their appearance at Honolulu, where he met some of them, as they were about to sail on the steamer for their destination on the Windward Islands, as very fine. They were a body of superior-looking men, intelligent and well versed in the doctrines of the Church. He felt proud of them. The news which reached him, before leaving Laie, respecting the labors and success of the two native Elders who had gone to the Navigator's Islands, was very gratifying. They are laboring to excellent advantage among the natives of those islands —a kindred Polynesian race, whose

language is very similar to the Hawaiian. There is an immense field for missionary labor throughout the Pacific Islands, and the Hawaiian Elders are many of them quite capable of going as missionaries to those groups. Taking this view alone of the settlement at Laie, and we doubt not that as a place of practical training for the Hawaiian people, and in imparting to them the necessary experience to go as missionaries to other islands, it will be found to be of immense benefit and to amply repay, in the results which are likely to accrue, all the trouble and expense which have been expended upon it.

The names of the Elders who are laboring on the Navigator's Islands are Kimo Pelio and S. R. Manoa—old members of the Church on the Sandwich Islands. — *Deseret News, Nov.* 11.

## THE PLEA OF INTENT.

"The Mormon press have made no response to the published fact that polygamy in Utah was utterly disavowed and condemned by the Mormon authorities until six months after the passage of the Territorial act against adultery and lascivious cohabitation. The act was approved March 6, 1852. The revelation of polygamy is said to have been made August 29, 1852. This overthrows completely the charge that the United States court here was wrong in allowing a verdict under that act against a polygamist on the ground that the act was passed by a polygamous legislature, and hence the 'intent' not to punish polygamy."

The above is a press telegram from Salt Lake City, sent east and west, and clipped by us from an exchange. As the HERALD is evidently included in "the Mormon press," we will make some comments on this published "fact." We have something better to occupy our time with than following into the filth of reckless misstatement and falsehood every scribbler that may publish such "facts" inimical to the people of Utah, but when they are furnished to and published by respectable journals as reliable news, then we deem it a duty to correct them, as in the present case.

This is the last refuge to shield the district court from the charge of gross injustice, arbitrary rulings, an ultra-judicial course, and acting in defiance of all recognized authority and precedents, in ignoring the intent of a legislative body when passing an act; but Judge McKean, himself, settled this matter by repudiating the plea of intent, either in the legislature or in the party accused. Now to answer the "fact that polygamy in Utah was utterly disavowed and condemned by the Mormon authorities until six months after the passage of the Territorial act against adultery and lascivious cohabitation."

This telegraphic correspondent was evidently not well posted, for we believe the person who sent the dispatch would not wilfully misstate. For his benefit, and that of the public generally, we will furnish a little history. The legislature which passed the "act concerning crimes and punishments," under which the Hawkins persecution was conducted, met in this city September 22, 1851. On the 1st October it adjourned over to meet on the first Monday in January, 1853, and met, pursuant to that adjournment, on the 5th of January following. On the 30th of January, 1853, the legislature met in joint session, and continued its sittings, with an adjournment from the 5th to the 16th of February, until the 6th of March. The act in question passed its second and third readings in the forenoon session of the 2nd of March, each reading on motion of Hon. Wilford Woodruff, and was approved by Governor Brigham Young on the 6th, receiving his signature. Now, that legislature was composed of twenty-six representatives and thirteen councilors, thirty-nine in all, of whom thirty-four were at the time *practical polygamists*, and all believed in the doctrine; and the sons and daughters

of a number of the men who passed that act, born of plural wives before the act was passed, are now living in this Territory, a number of them in this city; their fathers are still living who were at that time practical polygamists, and their mothers are still living who were then plural wives.

We write with the full list of representatives and councilors before us. Some are dead, such as the late Presidents Heber C. Kimball, Willard Richards, and Jedediah M. Grant, who were known to be practical polygamists; others are living and would be willing to testify, were it necessary, to the fact of their faith and practice. So much, in brief, of the legislature which passed the act; of its intent in so legislating no one can be in doubt. If any still question the fact of that assembly being a polygamist body, we refer them to the outcry made by Harris, Brochus and Brandenbury, the first named secretary of the Territory, the last two justices of the supreme court, who raised a sufficient howl in the east concerning the polygamy of the Mormons about that time.

This telegraphic correspondent says, "The revelation of polygamy is said to have been made August 29, 1852." In the *Deseret News* of September 18th, 1852, the following appeared—

DESERET NEWS, Extra.—Just issued from the press, in pamphlet form, 48 pages, solid matter, sufficient for a book of 200 pages in popular style; including in full the minutes of the late Special Conference, business, speeches, sermons and addresses on matrimony; the great "Revelation given to Joseph Smith, Nauvoo, July 12, 1843," concerning marriage for time and eternity; President Young's sermons of August 8 and 15, and other important items which will not soon be found again embodied in one work; for sale at the *News* Office, price fifty cents cash; and those who do not apply soon, will apply in vain, they are going fast.

At a Special Conference held in this city, in August 1852, the revelation on plural marriage was read, and missionaries were appointed, some of whom were authorized to publish it in the Eastern States and Europe; not as a revelation then given, but as one which had been in existence from July 12, 1843, given in Nauvoo, accepted by the Latter-day Saints, practiced by them up to 1852, and then first given to the world by the medium of the press. On the 1st of January, 1853, simultaneously in Washington, D.C., and in Liverpool, England, this revelation was published by Elders Orson Pratt and Samuel W. Richards, by the former in the *Seer*, by the latter in the *Millennial Star*. Ignoring the facts quoted and given in the first part of this article, and looking alone to the extract from the *Deseret News*, does any reasoning person think that Dr. Willard Richards, second counselor to President Brigham Young, and then editor of the *News*, would have published such an important announcement in such style, if the revelation had not been fully understood by the people, and stating that it had been given July 12, 1843, if it had not been known up to August, 1852?

We are gratified at seeing that the few supporters of Judge McKean's proceedings realize the importance of the plea of intent, although the court itself ignored it; but it may be they are awakening to the fact that the country will not quietly endorse such a despotic course on the bench, as that which sent Hawkins to prison in defiance of the highest judicial precedents, enforcing the penalty of a law against him under which no such case as his could be rightfully held a crime. —*Salt Lake Herald.*

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"The Mormon officials have appealed to the President, both by the telegraph and mail, to suspend the proceedings of the Federal authorities in Utah, but there is no prospect whatever that the Administration will interfere in any way with the United States Marshal and District Attorney in their efforts to abolish polygamy. On the contrary, the recent proceedings in that Territory were virtually inaugurated by orders from Washington." — *Cleveland Herald.*

# THE LATTER-DAY SAINTS' MILLENNIAL STAR.

*TUESDAY, DECEMBER* 12, 1871.

## THE PROGRESS OF THE TRIALS.

ACCORDING to adjournment the court for the Third Judicial District of the Territory of Utah resumed it sessions on Monday, October 13, and during that and the day following attended to a little business of no special importance. It then adjourned to the following Monday (20th), when it again resumed business; Judge McKean presiding. The correspondent of the New York *Tribune* gives the following telegraphic details of that day's proceedings—

The cases of the People against John Reading for assault with intent to kill, Joseph Harrington for murder, John Allen for murder, and Daniel H. Wells for lewd and lascivious cohabitation, were passed by consent of counsel. In the case of Brigham Young, for lewd and lascivious cohabitation, Charles H. Hempstead moved that the trial be continued to the March term. The Prosecuting Attorney objected to this, remarking that it is known through the public newspapers that he has passed beyond the jurisdiction of this court, or at least out of this Judicial District, when he is under recognition here, to appear from day to day, and not depart without leave from the court. If a continuance was desired, he would demand a showing on affidavit. Mr. Hempstead replied that his client was not absent, nor did he intend to absent himself, from the Territory, but being in ill health he had gone south, as had been his custom for several years past; and furthermore, on this occasion, he had gone with the entire approval of his counsel. Whenever the case might be set for trial, he, Brigham Young, would be personally present in court to answer all charges that might be brought against him. Mr. Hempstead concluded by assuring the court that Brigham Young had not fled from the Territory, nor the jurisdiction of the court, nor did he intend to do so; he will be here, said Mr. Hempstead, at any time that his presence may be required, relying upon his counsel to make this statement, that he is desirous to avoid coming here in the middle of winter, during the cold weather, because his health is feeble. But if the interests of the public service demand it, he will be here at any time required by his Honor. Counsel for prosecution objected to postponement, saying they were ready now. Judge McKean said he would not at present grant that motion, nor would he set down the case for any particular day, but would hold that under advisement.

In the cases of William Hickman, D. H. Wells, Hosea Stout, Maurice Meacham, Wm. Kimball, and others, for murder; Henry Lawrence, Ormus E. Bates, and H. B. Clawson, for lascivious cohabitation, motion for continuance was granted till next Monday. The indictment against H. B. Clawson, who is superintendent of Zion's Cooperative Mercantile Institution, was found to-day. In the case of Thos. Hawkins, Mr. Baskin asked for a mittimus to consign the prisoner to the Penitentiary. The matter was taken under advisement.

On the 21st and 22nd the court continued its sessions, the proceedings being almost entirely of a technical character, of no interest to our readers. On the evening of the latter day the grand jury came in and presented the results of their labors, supposed to be fresh indictments, but whether for murder, adul-

tery, or lascivious cohabitation, was of course not made public. The grand jury then reported that they had transacted the most pressing business before them, and requested a recess until the second Tuesday of January, which was granted by the court. The court then adjourned till Friday, November 24.

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THE FLIGHT FROM UTAH.—The Hon. Thomas Fitch, of Salt Lake City, was lately in New York, and whilst there had to go through the agony of being interviewed on Utah matters, by one of the reporters of the *New York Herald*. Amongst the various statements that it is alleged he made during the conversation is one that is of peculiar interest at the present time, when so much nonsence is being written by the public press with regard to the reported flight of President Young from Utah. The *Herald* reporter asserts, that, he enquired of Mr. Fitch, as one of the council engaged to defend President Young in the pending trials, if it was by his advice that Brigham Young suddenly left Salt Lake City for Southern Utah? To which question Mr. Fitch is reported to have replied—

Not especially. I think it was prudent, however, under the circumstances. Brigham Young makes a sort of tour of the churches and settlements every year as far as St. George, on the borders of Arizona. He had started when he ascertained that the grand jury had indicted him for lewd and lascivious conduct and cohabitation, but he immediately returned, waited quietly to be arrested, and on his following arrest he gave bail in the sum of $5,000. Then hearing that other indictments on old and trumped-up charges of murder were being prepared he waited three weeks to see them produced. He finally sent for United States marshal Patrick and asked him if he had any such indictments; Patrick replied that he had not. Mr. Young then said he was prepared for the annual trip, and as the court had indicated to his council a postponement of the trial on the existing indictment until late in the winter, he thought of making no further delay. He departed in his carriage in broad daylight. I saw him go myself. After he had gone a day or more, judge McKean took out of his pocket an indictment that had lain there in secrecy for a month and issued a warrant upon it for his arrest for murder. Hence the hue and cry over the alleged flight.

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SPECULATIVE.—There is nothing like taking time by the forelock, at least, so "a number of the moneyed men of San Francisco" must think, if the following paragraph from the Carson *Register* is to be credited. It says—

The *Examiner* asserts that a number of moneyed men of San Francisco are prepared to buy up Mormon farms in Utah by the wholesale, as they have assurances from Washington that the prosecutions of leading Mormons will continue until they will be compelled to fly the Territory. It is stated that the prosecution has been instigated by a "land ring," who expect to make their fortunes out of these lands, but the San Francisco capitalists intend to take a hand and do a land office business themselves, when the proper time comes.

We congratulate the "San Francisco capitalists;" we never before heard of the moneyed men of that famed city of the Pacific Coast showing so much energy. Generally they have permitted Chicago to have business matters pretty much her own way in the Far West, but now, Chicago being temporally crippled, we presume they hope, by one magnificent speculation in "Mormon" property, to redeem their character for energy and business foresight. As for ourselves, we would not give much for "Mormon farms" after the owners had been "compelled to fly the Territory," but they will probably fetch all they are then worth. At present, however, we think our friends in Utah have no idea of selling out by "wholesale," it is therefore to be hoped these keen

speculators will not attempt to buy before the proprietors offer to sell. We give due notice that our property is not yet in the market.

ARRIVAL.—Elder Sybren Van Dyk, of Ogden, arrived at Liverpool on Thursday, 7th inst., per steamship *Minnesota*, on his way to Holland, to which country he had been called on a mission by the authorities of the Church in Zion. He proceeded on his journey the next day by way of Grimsby and Rotterdam.

IN IDAHO.—The United States surveying party, who have been locating the line between Utah and Idaho Territories, have decided that the settlements of the Saints at Paris, Fishhaven, St. Charles, Bloomington, Liberty, Ovid, Montpellier, Bennington, Preston and Georgetown, in Bear Lake Valley, are in Idaho Territory.

AT NEW YORK.—Elders A. W. Carlson, C. Matthews and B. W. Carrington arrived at New York on the evening of Tuesday, 6th inst.

## WHERE IS HE?

We have been highly amused, for a number of days past, at the many and conflicting conjectures concerning the whereabouts of President Young. The papers all over the Union appear to have taken suddenly a great interest in his welfare, so great that they manifestly would be pleased to receive a daily bulletin of the exact latitude and longitude of his current habitat, the state of his health, the color and texture of his apparel, the quality and quantity of his larder and cuisine, and a score other etceteras concerning that distinguished gentleman. From our personal acquaintance with him we have not the slightest hesitation in saying that we firmly believe that whenever he shall become convinced that it is the proper business of those who are so extraordinarily anxious to know his exact whereabouts, to have their curiosity gratified, he will not be backward in communicating to them the knowledge which they so anxiously desire. Meantime it is likely that he will move hence or hither, stay here or there, or travel to and fro, by night or by day, as may seem to him desirable, without asking everybody's leave, and without considering himself under any obligation to announce to all the world, with flourish of trumpets and flash of glistening bayonets and roar of cannon, that he is about to travel a few miles, and wherefore he is about to make his journey. There are certain legal restrictions resting upon some judicial characters as to the region of country within which they shall reside, but we do not think that President Young is aware that there is any constitutional or legal provision, Federal or Territorial, that defines, or that the ingenuity of any Federal Judge can construe to define, the identical spot or district of country where he is obligated to reside at present. Certain it is that we have never seen any law or part of a law which states that President Young shall reside at Salt Lake City, or Logan, or Provo, or Fillmore, or any other particular city or settlement, nor have we seen any law or part of a law that forbids him from travelling for health, or business, or pleasure, morning, noon, evening, or midnight, if he chooses to do so. Even the hatched up indictments against him, of which every honest man is thoroughly ashamed, have not placed him in that circumscribed condition so far. What, therefore, is there in his movements to excite so much prurient curiosity may reasonably surpass our comprehension, and possibly be equally

a mystery to him. We are sorry for our curious friends, very sorry, but we can do nothing for them, only to remind them that patience is a virtue, and that it is an excellent thing to mind one's own business, a policy which we endeavor to develop in our own action, and can conscientiously recommend to others as being worthy of all acceptation and fully meriting all the commendation which it has received.—*Deseret News.*

## "MORMON OLIVE BRANCHES."

You are struck by the great number of children everywhere here. Some houses absolutely overflowing with them; some tables are embowered in "olive branches." The different sets get along very well together generally, but that is little wonder, after the miracle of agreement between the mothers. Polygamy does not seem to spare women the cares of maternity. I know a Mormon household in which two middle-aged wives count about two dozen children between them. I took two fair-haired girls for twins, and they were a sort of polygamic twins, born almost at the same time in the same house, of different mothers.*** I hear that they have very good schools, and are under very good dicipline at home, answering to the roll-call at night, and duly honoring their father and mothers.

Many Mormon wives are sisters, and it is said they get along quite harmoniously. The very nature of women seems to be changed here, and turned upside down and inside out. An intelligent "first wife" told a Gentile neighbor that the only wicked feelings she had about her husband for taking another wife was that he did not take her sister, who wanted him, or rather a share in him. She would have liked to have the property kept in the family. I saw the other day a pair of young wives, sisters, walking hand-in-hand, dressed alike, in every particular, of the same hight and complection, and of the same apparent age.—*Grace Greenwood, in the New York Times.*

## THE MORMON MATTER.

Brigham Young has not chosen to abide the result of the prosecution which, by his prompt appearance in court, he seemed determined to face. He has, with a few wagons and a small armed escort, departed southward, whether to select a new refuge for his people, or simply to betake himself to a place of safety, does not yet appear. An expedition, it is said, will be sent in pursuit of him. If what we hear of his prosecutors be true, a better man than Brigham would have been justified in getting out of their way; and, indeed, we may say, generally, that if the present crusade against Mormonism be "the Lord's doings," he is making use of instruments that an honest man could not touch with a forty-foot pole. Mr. George Alfred Townsend, who has been writing some very graphic letters from Salt Lake City to the Cincinnati *Commercial*, undertakes to enumerate and describe the members of the anti-Mormon ring, beginning with Judge McKean, of the Federal court, whose behavior on the bench "has been despotic and extra-judicial to the last degree, and who has also been unfortunate enough to compromise his reputation by mining speculations which have come before his court, and received influential consideration there." His Prosecuting Attorney, R. N. Baskin, is the author of what was called in Congress the "Cullom Bill" to suppress polygamy—a bill which, Mr. Townsend says, "the court enacts, and prosecutes under it, by the very man who wrote it."

The Mormon view of the conduct of the recent trial is well expressed in

the clever satire in which Judge McKean is represented to have addressed the jury as follows—

"You have your duties, gentlemen, and I have mine. My duty is to pick you out and pack you in; to fix the trial at such a time as will be least convenient to the defendant; to exclude all evidence that may help him, and to admit all evidence that may hurt him; to rule all points of law against him; to pick out from acts of Congress and acts of the Utah Assembly those laws which combined may convict him; to be first a United States justice's court, and then a Territorial justice's court, and *vice versa*, as the exigencies of the case may demand; to dramatize the case and elocutionize my opinions; to follow my instructions from Rev. Dr. Newman, and avenge his defeat at the Tabernacle; in short, gentlemen, my duty is to secure a conviction."

The charge of patching together parts of Federal and Territorial statutes relates to the use which is made of a Mormon enactment against adultery, which could not by any stretch of interpretation be supposed to have been levelled against polygamous marriages. So the definition of adultery is boldly drawn from another source. Even were this wanting, however, Judge McKean could, and probably would, fall back on the simple "builded-better-than-they-knew" doctrine.—*The Nation*, New York.

## PUTTING AWAY.

When a man falls away from truth and righteousness it is natural for him to manifest it in his actions. We hear now and then of certain characters of this class putting away their wives, or some of them where more than one has been taken. Now for a man to marry a woman, believing he is acting in obedience to divine law, and that he has the divine sanction in so doing, and then for him to put away that wife from a miserable fear of being imprisoned and fined for thus doing the will of God, is very small, mean business. Such a man deserves to be despised by womankind. There is no manhood about him morally. If we were to admit, which we do not for one moment, that a man does wrong in marrying more than one woman, according to the law of God, the putting of her away afterward would be worse than the taking of her, for the Lord blesseth marriage, yea, plural marriage, but he hateth putting away. If a woman is worth having at all for a wife, she is worth facing fine, imprisonment, the world's scorn, and even death itself for, and the man who shrinks from doing all that for her, when necessary, is no man, he is a very poor concern, he is ashamed of his own flesh and blood, and he practically denies it, thus proving himself to be that universally despised character—a traitor. However, so far as we have heard, we are happy to say that there have been but very few such cases in Utah. —*Deseret News.*

## THE MORMONS.

The policy pursued by the government towards the Mormons seems to us altogether wrong, and indefensible. In 1844 this singular body of fanatics, were driven into exile, and after undertaking many privations and hardships, settled in the valley of Salt Lake. It was a wilderness when they went there; by industry and thrift, they have made it blossom like the rose, and from extreme poverty they have become the wealthiest community on the continent. This settlement for years formed the connecting link between California and the East. Twenty-seven years have rolled by; a generation has passed and gone, and during all that time the Mormons and their religion and civil policy have remained undisturbed. Why is it that

the government has not interfered with them before? Why is it all at once such an onslaught is made upon their many wife system, and the heads of this singular hierarchy are threatened with the penitentary? Why not, by wise legislation, have provided for the future, and left the existing social evil to the correction of time and the tide of emigration that is flowing westward, with such resistless sway? The answer is plain. The Mormons are rich, and consequently fit subjects of plunder. We remember before these trials commenced, or were perhaps thought of, a gentleman at St. Louis told us that a Federal official said to him, if he could get up a feeling against and a persecution of the Mormons his fortune was made; and that he would make out of it a hundred or a hundred and fifty thousand dollars. For nearly twenty years Federal Courts have been held in Utah, and for the first time they have been invoked against the Mormons. When we consider the occasion selected, and the men engaged in pressing these trials, the whole business smacks to us of that corruption for which Federal officials have become proverbial. It is a game of plunder, to which fanaticism lends a willing ear and a helping hand. The question is not, whether the country shall support Mormonism, which, if let alone will die out, like all other unfounded isms, but shall it sanction robbery under the guise of morality and religion? We believe that the present Federal officials in Utah, like the thousands sent South, are a band of thieves, and the pretended morality, respect for law, determination to exterminate polygamy and punish the Mormon leaders, are only the means to an end, and that end is plunder. It is patent on its face; so plain that "he that runs may read."—*Jefferson, Texas, Times.*

## THE MORMON PROSECUTIONS.

* * * We cannot but think those Federal officials neither wise as serpents nor as harmless as doves. There is, it seems to us, a cruel severity in their proceedings, which the circumstances do not justify. Institutions of a generation's growth do not perish in a night, unless by some great convulsion. The first step toward the overthrow of the system, after it had been so long tolerated and protected, should have been the issuing of a proclamation by President Grant, defining the future policy of the Government, and warning the Mormon leaders and people that no more polygamous marriages would be permitted; but, on the contrary, would, in all cases, be treated as violations of law, and crimes against the Government. This should have been accompanied with strict orders to all the public officers in the Territory to prosecute to punishment every case of a fresh violation of the law.

In no proper moral or legal light are those plural marrirges, entered into with the assent of the Federal and Territorial authorities, adulterous or lewd. In no just aspect of the case are the children of these marriages illegitimate or bastards. * * Dislike Mormonism and hate polygamy as we will, and as the great majority of us do, yet it should not be forgotten that Mormon men and women and children have human hearts and human affections which cannot be lacerated without pain, and that our Government cannot afford to inflict needless sorrow upon any portion of its citizens.—*Independent Statesman, Concord, N. H.*

## CORRESPONDENCE.

### AUSTRALIA.

Melbourne, Oct. 7, 1871.

President Albert Carrington.

Dear Brother—As I know that you are interested in the work of our Father in every part of his vineyard, I take the liberty to give you an outline of my labors for the last fifteen months

in these distant parts. In the month of February, 1870, I was ordained and set apart as a Travelling Elder for the Hunter district, New South Wales, by President Robert Beauchamp. I proceeded directly on my mission, in the first place by myself, and afterwards in company with Elder Edwin Kearsly, President of the N. S. W. Conference. On that mission I baptized twelve new members and rebaptized six others. We then returned to Sydney, after having travelled some 400 miles over a rough country, preaching the Gospel by the way. I then labored some three months in the suburbs of Sydney, where I had the pleasure to initiate ten more into the path to salvation, and I pray God our Father that they may be faithful and gain the crown at the end of the race.

At a Conference held in Sydney, I was set apart to open up the colony of Queensland, to which place I proceeded on January 25th last. I was conscious of the difficulty and opposition I had to meet with in that colony, knowing that two American Elders had been there before me, but had not been able to remain there longer than one week. I felt my littleness in undertaking so mighty a work, but trusting in our Father in heaven I went with a determination to do my duty, and I had there several manifestations of the power of the Holy Priesthood. On my arrival in that colony (distance from N. S. W. 600 miles), I found that Satan and his hosts were congregated together in this place. Ministers who formerly were receiving their salary for doing nothing, now began to set to work in earnest, all combining together to drive the "Mormon" Elder from the land. These ministers would go from house to house and tell the people that if they gave anything to eat or drink to the "Mormon" Elder, they would be damned forever and ever. To those very people I came. After saying "peace be with you," and entering the house, they would ask me, "Are you the Mormon Elder?" "Yes." "We have positive orders from our minister not to entertain you in our houses." I would then commence to preach the Gospel to them, showing them the difference between the doctrines taught by the Son of God and those taught by the gentlemen(?) who had just left the house. They would then offer me food, which I accepted in thankfulness to my Father in heaven. When the ministers found out that this would not do, they requested the householders in Brisbane not to let me have any place to preach in, as street preaching there is next to impossible, on account of the heat. They drove me from place to place; but having come there to preach the Gospel, preach it I must. I had two meetings under a verandah, but then the police interfered. They said I stopped the thoroughfare. It seemed at the time as though Satan through these ministers would put a stop to the preaching of the Gospel in Brisbane, but God ordained it otherwise. I found two empty houses that had not been occupied for years, but what was more difficult to find was their owner; but at last I succeeded, and he being glad for anybody to take care of them, told me I could have them and welcome. Knowing that I should not keep them for a week if I had not a written agreement with him, as I had been served two or three times before in the same manner, I succeeded in getting a six months lease, on my doing certain repairs. This being settled, I went to work and made the ground floor of the two houses into one large room, capable of holding about 400 people. I had seats made out of the partition boards for about 70, and the next Sunday I opened the Latter-day Saints' meeting room, being determined to stop there until I was released by the authority that sent me, though I often had to go out and gather up sweet potatoes from the fields, on which I subsisted for many days.

After many vicissitudes and considerable persecution, I went up the country 53 miles westward, as this was the only place to which I could go without money. I preached the Gospel by the way, but the people were as bad in the country as in the city. When I came back I found a letter from President Beauchamp with my release. I can assure you that three months in Queensland is as much as a man can do in preaching the Gospel

without purse or scrip. I came back to Sydney with my clothes worn out, and with very little flesh on my bones, and I was laid up and kindly attended for six weeks by brother Dover, who is now in Zion. I then left Sydney for Melbourne, distance 600 miles, where I am now.

Brother Beauchamp has left for New Zealand, and I have orders to follow him, if possible. Travelling in these colonies requires good health and strength, and a great deal of patience and reliance in God. The Saints are few in number and scattered far apart, and the laborers are few. President Beauchamp is holding out wonderfully, the local Elders in the different Conferences are doing their duty, so far as they know, and the Priesthood generally is working in union and harmony together.

May God bless you with health, strength, and means to carry on your high and holy calling, is the prayer of yours in the Gospel of love, peace and unity,

EDWARD L. LINGBYE.

## UTAH NEWS.

The following are from the *Deseret News* to Nov. 22.

Bro. W. Asper, Carpenter, had had his ankle broken, besides sustaining other injuries, by a fall whilst engaged upon a building at the house of H. B. Clawson, Esq.

A son of Soren Anderson of Grantsville, aged two years and a half, managed to remove the cover of a well, and the weight which was upon the cover, on the 9th, in doing which he fell in, and was not missed for several minutes. When discovered life was extinct.

A gentleman just arrived from Kanab informs us that the health of the people there is excellent. The Navajoes visit the settlement every few days and are very friendly. The place is progressing rapidly, houses going up like magic. The poles for the extension of the Deseret Telegraph are up, and the wires will be up soon. There is a weekly mail, which now connects more regularly than formerly.

The following explains itself—

CHICAGO, Nov. 4th, 1871.—*Daniel H. Wells, Esq.*, Mayor of Salt Lake City, Utah :—Dear Sir—We have the honour to acknowledge receipt of your favor of October 30th, enclosing drafts on New York, for Two Thousand Seven Hundred and Seventy-Six Dollars and Forty-Six Cents, ($2,776,46) as an additional donation to the Chicago Relief Fund. Again we desire most heartily to thank you and yours for the continued remembrance and substantial sympathy manifested by your nobly generous people in our hour of deepest misery and distress. We may never be able to repay it excepting in weak words of gratitude, but the recollections thereof will abide with us as an eternal remembrance. Yours respectfully, GEO. M. PULLMAN, G. H. HAMMOND.

The following are from the *Salt Lake Herald* to Nov. 23.

The new branch line of the Deseret Telegraph Co. to Kanab, was completed to some thirty miles beyond Tokerville.

Governor Woods, accompanied by School Superintendent R. L. Campbell, had been visiting the Deseret University.

The Town Site of Salt Lake had been entered by Mayor Wells, before the register of the U. S. Land Office, and the money paid over to the U. S. receiver.

A two-storey building on Commercial Street, belonging to W. J. Hooper and John Hawkins had fallen, damaging a frame building next door. Water getting into the cellar, and sapping the foundation, was supposed to have been the cause of the accident.